

**IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**Inventor (s):** Lawrence G. Roberts

**Serial No:** 09/880,600

**Examiner:** Christine Y. Ng

**Filing Date:** 06/12/2001

**Group Art Unit:** 2616

**Title:** NETWORK FAILURE RECOVERY MECHANISM

**ASSISTANT COMMISSIONER FOR PATENTS**

**RESPONSE TO FINAL OFFICE ACTION**

This RESPONSE is in reply to the Office action mailed November 23, 2007. The time for response is set for 3 months. A petition for extension of time is set for 3 months is enclosed herewith. This response, filed May 23, 2008, is therefore timely.

**SUMMARY OF CLAIM STATUS**

Applicant notes with appreciation that claims 23, 25, 26, 35, 37, 38, 59, 61, 62, 71, 73 and 74 are deemed allowable. Applicant notes that claims 137 – 154, 161 – 165, 167, 168, 175 – 179, 181 and 182 are rejected under 35 U.S.C. 103(a) as being non-obvious over U.S. Patent No. 6,775,230 to Watanabe, et al (the '230 Reference) in view of U.S. Patent No. 6,990,063 to Lenoski et, al (the '063 Reference).